

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

United States District Court  
Southern District of Texas  
FILED

FEB 10 2011

David J. Bradley, Clerk of Court

NHAN TRAN,

Plaintiff,

VS.

BOW & MARY - NAILS OF AMERICA  
#5 LLC and BOW DI GROVE,

Defendants.

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CIVIL ACTION NO. H-08-3650

**JURY QUESTIONS**

**Jury Question No. 1**

Do you find that Mr. Nhan Tran was an employee of the defendants in 2007 and 2008 as opposed to an independent contractor?

Answer "Yes" or "No." No

If you have answered this question "Yes," proceed to the next question. If you have answered "No," do not answer any other questions.

**Jury Question No. 2**

Do you find that the defendants had annual gross sales of at least \$500,000 in 2007?

Answer "Yes" or "No." \_\_\_\_\_

If you have answered this question "Yes," answer the next question as to both 2007 and 2008. If you have answered "No," answer the next question only as to 2008.

**Jury Question No. 3**

Do you find that the defendants had at least two or more employees who were regularly and recurrently engaged in handling, selling, or otherwise working on materials that had been moved in or been produced for commerce?

Answer "Yes" or "No."

2007 : \_\_\_\_\_

2008: \_\_\_\_\_

If you have answered this question "Yes," to either or both 2007 and 2008, answer the next question. If you have answered "No" to 2007 and 2008 or you have answered "No" to 2007 and did not answer as to 2008, do not answer any further questions.

**Jury Question No. 4**

Do you find that the defendants violated the Fair Labor Standards Act by failing to pay overtime to Mr. Nhan Tran?

Answer "Yes" or "No." \_\_\_\_\_

If you have answered this question "Yes" to this question, proceed to the next question. If you answered "No," do not answer any other questions.

**Jury Question No. 5**

What amount of unpaid overtime wages, if any, do you find that the plaintiff, Mr. Nhan Tran, is entitled to recover from the defendants, Bow & Mary – Nails of America # 5 and Bow Di Grove?

Answer in dollars and cents, if any:

a. 2007

\$ \_\_\_\_\_

b. 2008

\$ \_\_\_\_\_

2/10/11  
Date

Bradley P. Han  
Foreperson